IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos : 3349, 3354, 3356, 3367, 3375, 3376, 3395, 3414, 3417, 3420, 3440, 3441 and 3450 of 2005

-

WRIT PETITION NO : 3349 of 2005

Between:

M. Lakshma Naik, s/o Govinda Naik,
M/s Sai Wines,Mudigubba, Ananthapur District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Revenue (Excise-II) Department, Secretariat, Hyderabad, rep. by its Special Chief Secretary to Government.
2 The Commissioner of Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Ananthapur District at Ananthapur.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the impugned G.O.Ms.No. 184, dt. 7-2-2005 as arbitrary, illegal, violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents to renew the petitioners IL-24 Licenses and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.S.D.GOWD

Counsel for the Respondent Nos.1 to 3: GP FOR PROHIBITION & EXCISE

-

-

-

-

-

-

WRIT PETITION NO : 3354 of 2005

Between:

1 K.Chitti Babu, S/o.K.Subramanyam, (L.No.134/1998-99)

aged 32 years, Licensee of M/s.Kwality Wines, Chittoor.

2 V.Sathya, S/o.G.Venkatappa, (L.No.398/1998-99)

aged 41 years, Licensee of M/s.Happy Wines, Chittoor.

3 G.K.Saikrishna, S/o. G.J.Kamalakar, (L.No.5/2001-02)

aged 35 years, Licensee of M/s.Sree Ganapathy Wines,

V.Kota, Chittoor.

4 T.Murali Mohan, S/o.T.Sreenivasulu Naidu, (L.No.21/02-03)

aged 36 years, Licensee of M/s.Balamurugan Wines,

Gajulapalle, T.V.Palle Mandal, Chittoor.

5 G.Subramanyam, S/o.Govindaiah, (L.No.167/1998-99)

aged 41 years, Licensee of M/s.Vinayaka Wines, Chittoor.

6 A.K.Ravi, S/o.A.Kesavulu Naidu, (L.NO.166/1998-99)

aged 42 years, Licensee of M/s.Sree Durga Wines, Chittoor.

7 K.Harinath, S/o.Narayana Swamy, (L.No.522/1998-99)

aged 34 years, Licensee of M/s.Eswar Wines,

Aragonda, T.V.Palle Mandal, Chittoor.

8 G.Murali, S/o.R.Govindan, (L.No.491/1998-99)

aged 38 years, Licensee of M/s.Iswathi Wines, Chittoor.

9 R.Soundar Rajan, S/o.Ramadass (L.No.45/1998-99)

aged 44 years, Licensee of M/s.Sri Ganesh Wines, Chittoor.

10 S.Surendra, S/o.Nagabhushanam Naidu, (L.No.1/1998-99)

aged 32 years, Licensee of M/s.Kalpana Wines, Chittoor.

11 D.Vanaja, W/o.K.Doraswamy Mudali, (L.No.506/1998-99)

aged 40 years, Licensee of M/s.Hari Wines,

Tugundram, G.D.Nellore Mandal.

12 R.Venugopal, S/o.P.C.Ramaswamy, (L.No.122/1998-99)

aged 33 years, Licensee of M/s.Venu Wines, Chittoor.

13 M.Mahendra, S/o.M.Venkatachalam Chetty (L.No.122/1998-99)

aged 49 years, Licensee of M/s.Mitta Enterprises, Chittoor.

14 D.Rama Rao, S/o.Veerama Naidu (L.No.259/1998-99)

aged 48 years, Licensee of M/s.Sri Vinayaka Wines, Chittoor.

15 R.Mathi, S/o.D.Rathnam, (L.NO.65/1998-99)

aged 51 years, Licensee of M/s.Neelakanteswara Wines, Chittoor.

16 M.Satheesh, S/o.M.Venkata Ramana (L.No.68/1998-99)

aged 32years, Licensee of M/s.Kharani Wines, V.Kota, Chittoor.

17 R.Jayarama Raju, S/o.Rama Raju (L.No.9/00-01)

aged 48 years, Licensee of M/s.Khanalakshimi Wines, V.Kota, Chittoor.

18 C.Radha, W/o.P.Venkataramana Reddy, (L.No.27/2002-03)

aged 28 years, Licensee of M/s.Sagar Wines, V.Kota, Chittoor.

19 K.Sunil Kumar, S/o.K.Narayana Moorthy (L.NO.411/1998-99)

aged 33 years, Licensee of M/s.Sunil Wines, V.Kota, Chittoor.

20 P.Prabhakara Naidu, S/o.P.S.Naidu, (L.No.31/1998-99)

aged 38 years, Licensee of M/s.N.P.S. Wines, Chittoor.

21 P.Venkata Ramana, S/o.Chengalrayulu, (L.No.143/1998-99)

aged 36 years, Licensee of M/s.Rmana Wines,

Rangampet Cross, Puthalapattu Mandal, Chittoor.

22 K.Eswar Reddy, S/o.K.Raja Reddy (L.No.76/1998-99)

aged 36 years, Licensee of M/s Surya Wines, Chittoor.

Rangampet Cross, Puthalapattu Mandal, Chittoor.

23 G.Viswanatha Reddy, S/o.Narayana Reddy (L.No.164/1998-99)

aged 58 years, Licensee of M/s Vinayaka Wines,

Penumur Mandal, Chittoor District.

24 N.P.Radhakrishna Naidu, S/o.N.P.Naidu (L.No.10/2002-03)

aged 39 years, Licensee of M/s Rambha Wines,

Penumur Mandal, chittoor District.

25 P.Aruna, S/o.Sambasiva Naidu (L.No.300/1998-99)

aged 32 years, Licensee of M/s Vamsi Krishna Wines,

Penumur Mandal, chittoor District.

26 P.Gopal Reddy, S/o.T.Doraswamy Reddy (L.No.414/1998-99)

aged 40 years, Licensee of M/s Sree Vinayaka Wines,

P.S.R.Gate Irala Mandal

27 P.Prakash, S/o.Pattabhi, (L.NO.66/2002-03)

aged 41 years, Licensee of M/s Durga Wines,

Penumur Mandal, chittoor District.

28 K.Sasi bhushan, S/o.K.Siva Ramaiah, (L.NO.1/2001-02)

aged 29 years, Licensee of M/s Kwality Wines,

N.H.Pet, Gudipala Mandal, Chittoor District.

..... PETITIONER(S)

AND

1 The Government of Andhra Pradesh, Revenue (Excise.II) Department, Secrtariat, Hyderabad, rep By Special Chief Secretary to Government
2 The Commissioner of Prohibition and Excise Hyderabad
3 The Prohibition and Excise Superintendent, Chittoor District at Chittoor

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declare the impugned G.O.No. 184, dt 7-2-2005 as arbitrary, illegal, violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents to renew the petitioners IL-24 Licenses and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner:MR.N.PRAMOD

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3356 of 2005

Between:

1 D. Rambabu S/o Subba Rao
R/o Cherukupalli, Guntur District Licensee of M/s. Laxmi Sai Wines

2 G. Venkateswar Rao S/o Veera Raghavaiah,
R/o Cherukupalli, Guntur District, Licensee of M/s. Srinivasa Wines
3 E. Rama Rao S/o Dai Babaiah
R/o Ilavaram, Guntur District
4 K. Srinivasa rao S/o Appa Rao
R/o Battiprolu, Guntur District. Licensee of M/s. Eagle wines
5 M. Gopala Rao S/o Raghavaiah
R/o Cherukupalli, Guntur District, Licensee of M/s. Venkateswara wines

6 M. Divakara Ratna Prasad S/o Venkatanarasimha Rao,
R/o Cherukupalli, Guntur District Licensee of M/s. Sai Ratna Wines
7 S. Palamaraju S/o S. chandraiah
R/o Gollavilli Uppolotham Mandal, East Godavari District Licensee of M/s. Bheemeswara Wines
8 G. Raja Rao S/o Subba Rao
R/o Uppolotham East Godavari District Licensee of M/s. Bheemeswara Wines
9 Y. Trimurthulu S/o Tata Rao
R/o Bheemannapalli, Uppolotham Mandal, East Godavari District Licensee of M/s. Sai Siva Sri Wines
10 Ch. Ravi S/o Pullaiah,
R/o Durajpally, Chivemula Mandal, Nalgonda District Licensee of Vijaya Laxmi Brandi shop
11 B. Venkat Reddy S/o Linga Reddy,
r/o Nemmikal, Nalgonda District, Licensee of M/s. Neeraja

Wines
12 Y. Yadhi Reddy, S/o Kantha Reddy
R/o Penpahad, Nalgonda District Licensee of M/s. Swagath Wines

..... PETITIONER(S)

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department, Government of Andhra Pradesh Secretariat Buildings, Hyderabad
2 The Commissioner, Prohibition & Excise, Government of Andhra Pradesh, Hyderabad.
3 The Excise Superintendent, Prohibition & Excise, Guntur, Guntur

District.

4 The Excise Superintendent, Prohibition & Excise, East Godavari District, at Kakinada.
5 The Excise Superintendent, Prohibition & Excise, Nalgonda Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or direction declaring the G.O.Ms. No. 184 dt 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences infavour of third parties pursuant to the G.O.Ms. No. 184 dated 7-2-2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstance of the case.

Counsel for the Petitioners:MR.A.JAGANNATHA RAO

Counsel for the Respondent Nos.1 to 5: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3367 of 2005

Between:

1 M/s.Swagath Wines,

5-4-125/1, Sana complex,

Sahebnagar Kurdu, Ranga Reddy Dsitrict,

Rep. By B.Venkatesh, S/o.Muthyalu.

2 M/s.Sampoorna Wines,

L.B.Nagar Municipality,

Lic.No.068, Shop No.1, Ranga Reddy District,

Rep. By B.Ramesh, S/o.Mohan Reddy

3 M/s Jaideep Wines,

Gaddiannaram Municipality,

Lic.No.140, Shop NO.4-102,

Gaddiannaram, Saroornagar, R.R.District,

Rep. By K.Vidyasagar, S/o.Rajesham.

4 M/s Siti Wines, L.B.Nagar Municiplaity,

Lic No.009, Plot NO.44, Kothapet, Nagole, R.R.District

Rep. By M.Krishna Reddy, S/o.Venkat Reddy.

5 M/s. Brindavan Wines, Uppal Municipality,

Lic.No.509, 6-106/6, Uppal Main Raod,

Uppal, R.R.District,

Rep. By G.Anand Reddy, S/o.Malla Reddy,

6 M/s Sri Sai Wines, L.B.Nagar Municipality,

L.B.Nagar Municiplaity, Lic No.223, Shop No.2-20, Sai Nagar,

Saroornagar, R.R.District.

Rep. By Ch.Krishna Reddy, S/o.Ranga Reddy

7 M/s.Pramada Wines, 17-1-382, Hanuman Nagar, Saidabad,

R.R. Reddy, Rep by K.Koundinya Kumar, S/o.Kumar Swamy

8 M/s Liquor Bank, 8-2-629/1/A, Banjara Hills, Hyderabad

Rep. By G.Satyapal Reddy, S/o,Ganga Reddy

9 M/s.Madras Wines, 3-2-848/7 & 8, Kachiguda, Hyderabad

Rep. By K.C.Sheker Reddy, S/o.Raghava Reddy,

10 M/s.K.P.H.B.Wines, MIG-4, Shop No.2 & 3, 3rd phase,

KPHB colony, Kukatpally, R.R. District

Rep. By Y.Venkateswarlu, S/o.Muralaiah

11 M/s.Sri Sai Teja Wines,

Shop No.5, Bagh Ameer, Shamshiguda, R.R. District,

Rep. By K.Satyam Goud, S/o.Laxminarayana Goud.

12 M/s.Sri Sai Teja Wines, 1-57, Shop NO.1 &2, Near Bus Stand,

Miyapur, Hyderabad.

Rep. By D.Satyanarayana Goud, S/o.D.Dasrao Goud.

13 M/s.Sai Krishna Wines, 7-1-396/B/2, Balkampet, Hyderabad,

Rep. By P.Chandra Sekaraiah, S/o.Venkata Subbaiah

14 M/s.Kumar Wines, 1008/A, LIG, KPHB Colony,

Kukatpally, Hyderabad.

Rep. By K.Hruday Kumar, S/o.K.Venkateswara Rao

15 M/s. Sajan Wines, 5-10/1, Moosapet X Road, Balanagar, Hyd.

Rep. By Babulal, S/o.Madanlal

..... PETITIONER(S)

AND

1 The State of Andhra Pradesh

Rep. By its Secretary,

Revenue (excise-II) Department,

Secretariat, Hyderabad.

2 The Commissioner, Prohibition & Excise, Hyderaabd.

3 The superintendent of Excise,

Ranga Reddy District.

4 The Superintendent of Excise, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus; i) declaring G.O.Ms.No.184, dt.7.2.2005, as arbitrary, illegal, violative of Article 14, 21 and 300A of constitution of India and consequently set aside the same; ii) direct the respondent authorities to renew the lincences of the petitioners; and be pleased to pass such other order or orders.

Counsel for the Petitioner:MR.G.MADHUSUDHAN REDDY

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

-

-

-

-

WRIT PETITION NO : 3375 of 2005

Between:

B. Jagadeswara Naidu S/o Chinnappaiah Naidu
R/o at Madanpalle, Chittoor District

..... PETITIONER

AND

1 The State of Andhra Pradesh, rep by Secretary, Revenue (Ex-II) Department, Hyderabad
2 Commissioner of Prohibition & Excise, Hyderabad
3 Prohibition & Excise Superintendent, Chittoor
4 Prohibition and Excise Inspector, Madanpalle, Chittoor district

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ or order or direction particularly in the nature of a Writ of Mandamus directing the respondents not to proceed further with the proposed lease by lots of shops under A.P. Indian Liquor and Foreign Liquor Rules, 1970 pursuant to the Notification in the Chittoor District Gazette dated 11-2-2005 issued by the Prohibition and Excise Superintendent, Chittoor in particular the shop being run by the petitioner under the name and style of M/s. Mahalaxmi Wines and pass such other further order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.S.V.SUNDARARAJAN

Counsel for the Respondent Nos. 1 to 4.: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3376 of 2005

Between:

1 M/s. Sri Vijaya Wines, 13-186, Dewarakonda Village & Mandal, Nalgonda District. Rep. By K. Madhava Reddy,

S/o. Laxma Reddy.

2 M/s. Laxmi Wines, H.No. 13-194, Dewarakonda Village & Mandal, Nalgonda District. Rep. by its B. Satish KUmar, S/o. B. Venkataiah,

3 M/s. Vijaya Lakshmi Wines, 18-98, Dewarakonda Village & Mandal, Nalgonda District. Rep. by Ch. Srinivas, S/o. Pentaiah.

4 M/s. Sri Ganesh Wines, 18-95, Dewarakonda Village & Mandal, Nalgonda District. Rep. by K. Vishwanadham, S/o. Ramachari

5 M/s. Vijaya Lakshmi Wines, 19 Block, Dewarakonda Village & Mandal, Nalgonda District. Rep. by P. Narsimha, S/o. Jaggaiah.

6 M/s. Swathi Wines, 19-214, Dewarakonda Village & Mandal, Nalgonda District. Rep. by G. venkata Krishna Rao, S/o. Govinda Rao.

7 M/s. Supreme Wines, 19-122, Dewarakonda Village & Mandal, Nalgonda District. Rep. by P. Karunakar Reddy, S/o. P. Kista Reddy.

8 M/s. Bhawani Wines, 12-320, Dewarakonda Village & Mandal, Nalgonda District. Rep. by A. Ramulu, S/o. Papaiah.

9 M/s. Ujwala Wines, 12-266, Dewarakonda Village & Mandal, Nalgonda District. Rep. G. Mallaiah, S/o. Venkaiah.

10 M/s. Srinivasa Wines, 20-432/4/3, Dewarakonda Village & Mandal, Nalgonda District. Rep. by P. Srinivasa Reddy, S/o. Janga Reddy.

11 M/s. Supreme Wines, 1-108/1, Dewarakonda Village & Mandal, Nalgonda District. Rep. by its G. Narender Reddy, S/o. Krishna Reddy.

12 M/s. Lucky Wines, 5-100/1, Dewarakonda Village & Mandal, Nalgonda District. Rep. by its K. Prakash, S/o. Vadapally.

..... PETITIONER(S)

AND

1 The State of Andhra Pradesh, Rep. by its Secretary, Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderbad.
3 The Superintendent of Excise, Nalgonda.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus: i) declaring G.O.Ms.No. 184, dated 7-2-2005, as arbitrary, illegal, viloative of article 14, 21 & 300-A of Constitution of India and consequently set aside the same; ii) direct the Respondent authorities to renew the licences of the Petitioners; and be pleased to pass such other order or orders

Counsel for the Petitioners:MR.G.MADHUSUDHAN REDDY

Counsel for the Respondent Nos.1 to 3: : GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3395 of 2005

Between:

P. Radha Krishna Murthy,

S/o. Panduranga Swamy, aged 34 years,

Proprietor Sri Lakshmi Wines,

R/o. H. No.1-51, Chirala, Khammam District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Special Chief Secretary to Government, Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner of Prohibition & Excise, Andhra Pradesh, Hyderabad.
3 The Prohibition & Excise Superintendent, East Godavari District, Kakinada.

4 The District Collector, East Godavari District, Kakinada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 184, dated 7-2-2005 and the consequential Notification published in Khammam District Gazette Extraordinary No.08/2005 as illegal, arbitrary, discriminatory and contrary to rules and set aside them and consequently to direct the Respondent No.3 to consider the case of the petitioner for renewal of IL 23 licence for the year 2005-2006 and to pass such other order or orders.

Counsel for the Petitioner: MR.M.SUDHIR KUMAR

Counsel for the Respondent Nos.1 to 4: GP FOR PROHIBITION & EXCISE

-

-

WRIT PETITION NO : 3414 of 2005

Between:

M/s. Rainbow Wines rep by Licence Holder, Kotha Srinivasarao S/o K.Venkateswara rao, R/o Plot No. 165/A, MLA's Colony, Banjarahills, Road, No.12 Hyderabad Licence No. 28/2002-2003 Golconda Region, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh Revenue (Excise-II) Department, Secretariat, Hyderabad, rep by Special Chief
Secretary to Government, Hyderabad.
2 The Commissioner Prohibition and Excise, Hyderabad
3 The Prohibition and Excise Superintendent, Hyderabad District
4 The District Collector, Hyderabad District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or direction declaring the G.O.Ms. No 184 dated 7-2-2005 as illegal and arbitrary and set a side the consequential notification issued by the 3rd respondent dated 11-2-2005 in this regard and consequently direct the respondents to renew the IL 24 License held by the petitioner and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

Counsel for the petitioners: MR. K.S.RAGHAVA KUMAR

Counsel for the respondent Nos.1 to 4: GP FOR PROHIBITION AND EXCISE

WRIT PETITION NO : 3417 of 2005

Between:

1 M/s.Diplomat wines, (Licence No.084/98) rep.by its Licence holder, K.Narsingh Rao, S/o.K.Rajaiah, R/o.1-58/2/1, Jawar Colony, Chandanagar, RR Dist.
2 M/s.Sri Divya Wines, (Licence No.11/98) rep.by its Licence holder, Smt.K.Nirmala W/o.K.R.P.Reddy, R/o.4-92/4, Chandanagar, Ranga Reddy District.
3 M/s. S.K.Wines, (Licence No.94/98) rep.by its Licence holder, K.Sujith Reddy, S/o.Prakash Reddy, R/o.1-26, Chandanagar Village, Serilingampally, Ranga Reddy District.
4 M/s.R.G.Wines, (Licence No.768/02) rep.by its Licence holder, P.Ramulu,S/o.P.Gopaiah, R/o.2-41/14/1, Kondapur X Road, 8th B.R.Serilingampally, Ranga Reddy District.
5 M/s.G.B.Wines, (Licence No.446/98) rep.by its Licence holder, A.Ramesh Goud, R/o.6-86/1, Bapunagar, Lingampally, Ranga Reddy District.
6 M/s.OM R.S.Wines, (Licence No.57/98) rep.by its Licence holder, T.Sadanand, S/o.Anantaiah, R/o.1-59, Miyapur Colony, Serilingampally, Ranga Reddy District.
7 M/s.Sri Durga Wines (Licence No.431/98) rep.by its Licence holder, P.Dheeraj Kumar,S/o.Rajender, R/o.5-145, Chandanagar, Srilingampally Mandal, Ranga Reddy District.
8 M/s.Shalini Wines (Licence No.188/98) rep.by its Licence holder, A.Rukmini,W/o.Pentaiah, R/o.MIG, 554, BHEL, Ramachandrapuram, Medak District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh Revenue (Excise-II) Department, Secretariat, Hyderabad rep.by its Special Chief Secretary to Government, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Superintendent of Prohibition and Excise,Ranga Reddy, Ranga Reddy

District.
4 The Superintendent of Prohibition and Excise, Medak, Medak District.
5 The District Collector, Ranga Reddy, Ranga Reddy District.
6 The District Collector, Medak, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No.184 dated 7-2-2005 as illegal and arbitrary and set aside the consequential notification issued by the 3rd and 4th respondents dated 11-2-2005 in this regard and consequently direct the respondents to renew the IL24 License held by the petitioner and pass such other or further orders as this Hon'ble court feels deem fit and proper in the circumstances of the case.

Counsel for the Petitioners:MR.K.S. Raghava Kumar

Counsel for the Respondent Nos.1 to 4: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3420 of 2005

Between:

1. M/s. Navodaya Wines, represented by its Proprietor, Tummala Chowdary Babu, S/o. Venkatasubbaiah,Age 41 years, Ramanagaram, H/o. Lakshmipuram Village, Challapalli Mandal, R/o.Kodali Village, Ghantsala Mandal, Krishna District.

2. M/s. Sekhar Wines, represented by its Proprietor, Sandu Sri Rama Chandra Murhy, S/o. Veera Raghavaiah, age 42 years, Challapalli Village and Mandal, R/o. Challapalli Village and Mandal, Krishna District.

3. M/s. Sujatha Wines represented by its Proprietor, Govada Srinivasa Rao, S/o. subrahmanyam, R/o. Challapalli Vilalge & Mandal, Krishna District.

4. M/s. Anupama Wines represented by its Proprietor, Gadde Mani, S/o. Venkata Subba Rao, Age 55 years, Challapalli Village and Mandal, R/o. Challapalli village & Mandal, Krishna District.

5. M/s. Ravi Teja Wines, represented by its Proprietor Garapati Rama Lingeswara Prasad, S/o. Bhaskara Rao, Age: 38 years, Ghantasala Village & Mandal, R/o. Vijayawada.

6. M/s. S.R.D. Wine Centre, represented by its Proprietor, Bondalapati Chakradhar, S/o. Sri Rama Murthy, Age: 25 years, Vissannapeta Village&Mandal, R/o. Kodali Village, Ghantasala Mandal, Krishna District.

7. M/s. S.R.D. Wine Centre, represented by its Proprietor Maddipatla, Sivashankara Prasad, S/o. Sitaramaiah, Nuzividu Mandal, R/o. Katanupalem, Mopidevi Mandal, Krishna District.

8. M/s. Sri Lakshmi Wines, represented by its Proprietor Bondalapati Bullaiah Chowdary, S/o. Sri Rama Murthy, age : 28 years, Srikakulam Village, Ghantasala Mandal, R/o. Kodali Vilalge, Ghantasala Mandal, Krishna District.

9. M/s. Ramya Wines, represented by its Proprietor Pidikiti Ram Babu, S/o. Hari Prasad, Age: 32 years, Movva Village & Mandal, R/o. Mopievi Village and Mandal, Krishna District.

10. M/s. Sri Krishna Wines, represented by its Proprietor, Yadlapalli Lakshmana Rao, S/o. Krishnanjaneyulu, Kosuruvaripalem Village, Mopidevi Mandal, R/o. Pedaprolu Village, Mopidevi Mandal, Krishna District.

11. M/s. Durga wines, represented by its Proprietor, Dokku Krishna, S/o. Venkateswarlu, Age: 42 years, Pagolu Village, Challapalli Mandal, R/o. Challapalli Mandal, Krishna District.

12. M/s. Rajyalaxmi Wines, represented by its Proprietor Sanka Venkateswara Rao, S/o. Karima Saheb, Age : 35 years, R/o. Kosuruaripalem, Krishna District.

13. M/s. Anupama Wines, represented by its Proprietor Tummala Venkateswara Rao, S/o. Bala Ramaiah, Age: 45 years, Kodali Village, Ghantasala Mandal, R/o. Challapalli Mandal, Krishna District.

14. M/s. Pavan Wines, represented by its Proprietor K.V. Subba Rao, S/o. Ramakotaiah, Age : 40 years, Edara Vilalge, Agiripalli Mandal, R/o. Agiripalli Mandal, Krishna District.

15. M/s. Devi Wines,represented by its Proprietor, P.V. Prasad, S/o. Chandra Sekhara Rao, Aged: 43 years, Vadlamanu Village, Agiripalli Mandal, R/o. Agiripalli Mandal, Krishna District.

16. M/s. Navasakti Wines, represented by its Proprietor, K. Venkateswara Rao, S/o. Raghava Rao, age: 38 years, Vissannapeta Village and Mandal,

R/o. Vissannapeta Village and Mandal, Krishna District.

and

..... PETITIONERS

AND

1 The Government of Andhra Pradesh Revenue (Excise-II) Department, Secretariat, Hyderabad rep.by its Special Chief Secretary to Government, Hyderabad.
2 The Commissioner, Prohibition & Excise, Nampally, Hyderabad.
3 The Prohibition and Excise Superintendent, Ranga Reddy, Ranga Reddy District.
4 The District Collector, Krishna, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or orders, direction or directions, writ or writs, particularly one in the nature of "Writ of Mandamus" declaring the G.O.Ms.No. 184, Revenue (Ex.II) Department, dt. 7-2-2005, as illegal, arbitrary, and set aside the consequential notification Number, 13/2005, dt. 11-2-2005 , issued by the 3rd respondent and consequently direct the respondents to renew the IL 24 Licence of the petitioners for the year 2005-06 and to pass such other orders as are necessary in the interest of justice.

Counsel for the Petitioners:MR.K.L.N.SWAMY

Counsel for the Respondent Nos.1 to 4: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3440 of 2005

Between:

1 M/s. Raja Rani Wines, Karimnagar, Rep. by Enaganti Rammohan Rao, S/o. Sripathi Rao, R/o. Karimnagar Town.
2 M/s. Tirumala Wines, Karimnagar, Rep. by N. Ananda Rao, S/o. Bucha Rao, R/o. Karimnagar Town.

3 M/s. Karimnagar No.1 Brandy Shop, Karimnagar, Rep. by D. Bhooma Rao, S/o. Venkata Rao, R/o. Chandurthy, Karimnagar District.

4 M/s. Sai Wines, Karimnagar, Rep. by R. Ravinder, S/o. Venkataiah, R/o. Karimnagar Town.
5 M/s. Sai Balaji Wines, Karimnagar, Rep. by S. Srinivas, S/o. Venkatesham, R/o. Karimnagar Town.
6 M/s. Triveni Wines, Metpally, Rep. by Paka Raju, S/o. Kankaiah, R/o. Karimnagar Town.

..... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department, Government of Andhra Pradesh, Secretariat, Hyderabad
2 The Commissioner of Prohibition & Excise, Government of Andhra Pradesh, Hyderabad.
3 The Deputy Commissioner, Prohibition & Excise, Karimnagar.
4 The Excise Superintendent, Prohibition & Excise, Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or direction more particularly one in nature of Writ of Mandamus declaring G.O.Ms.No. 184, dt. 7-02-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licenses in accordance with law and to pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners:MR.P.GIRI KRISHNA

Counsel for the Respondent Nos.1 to 4: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3441 of 2005

Between:

1 M/s. Ankamma Thalli Wines, IL.24 Licence, Bearing No. 124, at Kondapi (V) & (M). Prakasam District, Rep. by its Proprietor, A. Srinivas Rao, S/o. Subba Rao, Age 36 Years, R/o. Kondepi (V) & (M), Prakasam District.
2 M/s. Balaji Wines, IL.24 Licence, Bearing No. 571, at Kondapi (V) & (M)., Prakasam District, Rep. by its Proprietor, B. Srinivas Rao, S/o. Venkatramanaiah, Age 33 Years, R/o. Kondepi (V) & (M), Prakasam District.
3 M/s. Venkateshwara Wines, IL.24 Licence, Bearing No. 525, at Kondapi (V) & (M)., Prakasam District, Rep. by its Proprietor, K. Tirupathi Swamy, S/o. Sri Subbaiah, Age 55 Years, R/o. Kondepi (V) & (M), Prakasam District.

..... PETITIONER(S)

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Excise), Department, Secretariat, Hyderabad
2 The Commissioner, Prohibition & Excise, Government of Andhra Pradesh, Office at M.J. Road, Hyderabad.
3 The Prohibition and Excise Superintendent, Prakasam District at Ongole.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st Respondent in issuing G.O.Ms.No. 184 Revenue Excise 2005-06 dt. 7-2-2005for allotment of IL 24 Licences by conducting Lottery system for excise year 2005-06 including the Petitioner wine shops, as illegal, arbitrary and unlawful and contrary to law as Article 14, 16 and 21 of the Constitution of India direct the respondents not to include the petitioners IL 24 Wine Shop at Kondapi Village & Mandal, Prakasam District in the said Lottery system and same may be continued for the excise year 2005-2006 and pass such other order or further orders.

Counsel for the Petitioners:MR.M.DAMODAR REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR PROHIBITION & EXCISE

WRIT PETITION NO : 3450 of 2005

Between:

1 M/s.Sri Sai Wines, 20-9, Achampet (V) & (M)

Mahaboobnagar District,

Rep. By G.Raghuveer Reddy, S/o.Krishna Reddy

(Lic.No.64/98-99)

2 M/s.Manju wines, 19-56/4, Achampet (V) & (M)

Mahaboobnagar District,

Rep. ByS.Karuna Swamy , S/o.Swamy,

(Lic.No.178/99-99)

3 M/s.Uma Wines, 5-B/1, Achampet (V) & (M)

Mahaboobnagar District,

Rep. By Badam Tirupathaiah, S/o.Bal Lingaiah,

(Lic.No.178/99-99)

4 M/s.Radhika wines, 2-151, Achampet (V) & (M)

Mahaboobnagar District,

Rep. By A.Harishwar , S/o.Sekharaiah,

(Lic.No.65/98-99)

5 M/s.Venkateswara wines, 5-16, Achampet (V) & (M)

Mahaboobnagar District,

Rep. By Kothapally Tirupath Reddy, S/o.Mutyal Reddy,

(Lic.No.20/2002-03)

6 M/s.Srinivasa Wines, 4-151, Achampet (V) & (M)

Mahaboobnagar District,

Rep. By C.Shyam sunder Reddy, S/o.Pulla Reddy,

(Lic.No.60/98-99)

7 M/s.Raja wines, 12-48/1, Gandhichowk, Amangal (V) & (M)

Mahaboobnagar District,

Rep. By R.Pedda Reddy, S/o.Narasimha Reddy,

(Lic.No.142/98-99)

8 M/s.Narthaki Wines, 13-76, Gandhichowk, Amangal (V) & (M)

Mahaboobnagar District,

Rep. By D.Pandu, S/o.Chennaiah,

(Lic.No.122/98-99)

9 M/s.Supreme Wines, 12-107, Gandhichowk, Amangal (V) & (M)

Mahaboobnagar District,

Rep. By S.Ashok Reddy, S/o.Narsi Reddy,

(Lic.No.12/2000-01)

10 M/s.Sri Sai Wines, 15-59/1/3, Amangal (V) & (M)

Mahaboobnagar District,

Rep. By G.Murahari, S/o.Chandaiah,

(Lic.No.11/2000-01)

11 M/s.Vijaya Lakshmi Wines,

Kalwakurthy Vilalge and Mandal

Mahaboobnagar District,

Rep. By Vishnuvardhan Reddy, S/o.Ram Reddy,

(Lic.No.31/2002-03)

..... PETITIONER(S)

AND

1 The State of Andhra Pradesh,

Rep. By its Secretary,

Revenue (Excise-II) Department,

Secretariat, Hyderabad.

2 The Commissioner, Prohibition & Excise, Hyderabad

3 The Superintendent of Excise, Mahaboobnagar.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly one in the nature of writ of mandamus (i) declaring THE G.O.Ms.No.184, dated 7-2-22005 as arbitrary illegal violative of Art.14,21 and 300A of constitution of India and consequently set aside the same (ii) Direct the respondent authorities to renew the licences of the petitioners.

Counsel for the Petitioner:MR.C.BUCHI REDDY

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following Common Order:

COMMON ORDER:

These writ petitions are covered by the orders of this Court in W.P.No.2749 of 2005 and batch, dated 24.02.2005.

Following the same, the writ petitions are allowed directing that,

a) G.O.Ms.No.184, dated 07.02.2005, in so far as it prohibits renewal of existing IL-24 licences for the forth coming Excise year 2005-06, is declared as arbitrary and unreasonable and violative of Article 14 of the Constitution of India and, set aside to that extent.

b) It shall be open to the Government to formulate its own policy, in accordance with law, by taking into account the observations made by this Court in the judgment in W.P.No.2749 of 2005 and batch.

c) There shall be no order as to costs.

_____

L. NARASIMHA REDDY, J.

Dt.24–02-2005.

TS

To

1 The Special Chief Secretary to Government, Government of Andhra Pradesh, Revenue (Excise-II) Department, Secretariat, Hyderabad.

2 The Commissioner of Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Ananthapur District at Ananthapur.

4 The Prohibition and Excise Superintendent, Chittoor District at Chittoor

5 The Excise Superintendent, Prohibition & Excise, Guntur, Guntur District.

6 The Excise Superintendent, Prohibition & Excise, East Godavari District, at Kakinada.
7 The Excise Superintendent, Prohibition & Excise, Nalgonda Nalgonda District.

8 The Superintendent of Excise, Hyderabad.

9 The District Collector, East Godavari District, Kakinada.

10 The Prohibition and Excise Superintendent, Hyderabad District
11 The District Collector, Hyderabad District

12 The Superintendent of Prohibition and Excise,Ranga Reddy, Ranga Reddy District.
13 The Superintendent of Prohibition and Excise, Medak, Medak District.
14 The District Collector, Ranga Reddy, Ranga Reddy District.
15 The District Collector, Medak, Medak District.

16 The Commissioner, Prohibition & Excise, Nampally, Hyderabad.
17 The Prohibition and Excise Superintendent, Ranga Reddy, Ranga Reddy District.
18 The District Collector, Krishna, Krishna District.

19 The Deputy Commissioner, Prohibition & Excise, Karimnagar.
20 The Excise Superintendent, Prohibition & Excise, Karimnagar.

21 The Commissioner, Prohibition & Excise, Government of Andhra Pradesh, Office at M.J. Road, Hyderabad.

22 The Prohibition and Excise Superintendent, Prakasam District at Ongole.

23 The Superintendent of Excise, Mahaboobnagar.

24 2 CCs to the G.P. for Excise, High Court Buildings, Hyderabad.

25 2 CD copies.

26 The Secretary, State of Andhra Pradesh, Revenue (Excise-II) Department, Secretariat, Hyerabad.

27 The Superintendent of Excise, Ranga Reddy District.

28 The Prohibition and Excise Inspector, Madanpalle, Chittoor District.